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Bench I

NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA

CP(CAA) No.425/KB/2017

Present: Hon'ble Member (J) Shri Vijai Pratap Singh  
Present: Hon'ble Member (J) Shri Jinan K.R

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 31<sup>st</sup> August 2017, 11.30 A.M

Name of the Company		Avis Tie-up Pvt Ltd & Anr	
Under Section		230-232 Am	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

① Mr. Moijun Bheeteria. Adl. *Reddition*  
② Mr. Nivedti Khera Adl. *oo*

*Nivedti Khera*  
Adl.

ORDER

Ld. Counsel for the petitioners is present.

Heard the arguments of the Ld. Counsel for the petitioner.

It appears that by an order dated 21/07/2017 of this Tribunal holding meetings of shareholders and creditors of the transferor and transferee companies were dispensed with. Petitioners have also filed affidavit of compliance affirmed on 29/07/2017 pursuant to the directions given vide aforesaid order dated 21/07/2017. Till date no report has been received from the concerned authorities.

Let notice be served as per requirements of sub-Section (5) of Section 230 of the Companies Act, 2013 alongwith all the documents including a copy of the Scheme and the Statement disclosing necessary details on the Central

Government, through the Regional Director, Eastern Region, Ministry of Corporate Affairs, Kolkata, Registrar of Companies, West Bengal and Income Tax Department as also the Official Liquidator having jurisdiction over the transferor and transferee companies and such other relevant sectoral regulators / authorities, if applicable, which are likely to be affected by the proposed scheme, by sending the same by hand delivery through special messenger or by registered post or speed post within 7 days from the date of this order for filing their representation , if any, within 30 days from the date of notice. The petitioner is to file affidavit within 7 days regarding service of notice. The petitioner is further directed to send notice through e-mail also and filed copies of the mails along with an affidavit. The notice shall specify that representation, if any, should be filed before this Tribunal within 30 days of the date of receipt of the notice with a copy of such representation being sent simultaneously to the applicants and/or their advocates. If no such representation is received by the Tribunal within the said period, it shall be presumed that such authorities have no representation to make on the Scheme of Amalgamation. Such notice shall be sent pursuant to Section 230(5) of the Companies Act, 2013 in Form No. CAA.3 of the Companies (Compromises, Arrangements & Amalgamation) Rules, 2016 with necessary variations incorporating the directions therein.

Let advertisement of the hearing of the petition be published one in The Business Standard and one in local Vernacular Daily 10 days before the date fixed for hearing pursuant to Form No. NCLT 3A of the National Company Law Tribunal Rules, 2016, with necessary variations.

The petition is fixed for hearing on 30/10/2017.

Certified copy of the order may be issued, if applied for, upon compliance of all requisite formalities.

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(Jinan K.R.)  
Member (J)

Sd/-  
(Vijai Pratap Singh)  
Member (J)